

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA §  
§ No. 4:14CR180  
v. § Judge Crone  
§  
JAMES MICHAEL MCCULLOUGH (9) §

**ELEMENTS OF THE OFFENSE**

You are charged in Count One of the Information with a violation of 21 U.S.C. § 846, Conspiracy to Possess with the Intent to Distribute Methamphetamine. The essential elements which must be proven to establish the offense are as follows:

First: That the defendant and one or more persons, directly or indirectly, reached an agreement to commit the crime charged in the Information, that is, to distribute or possess with intent to distribute methamphetamine;

Second: That the defendant knew of the unlawful purpose of the agreement; and

Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose.

Respectfully submitted,

JOHN M. BALES  
UNITED STATES ATTORNEY

/s/  
JAY R. COMBS  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on this the 23<sup>rd</sup> day of November, 2015.

/s/  
JAY R. COMBS